

Licensing Objectives relating to Representation:

**Prevention of crime and disorder
Public safety
Prevention of public nuisance**

Supporting Evidence:

It has not escaped my attention that recently my guests have not been kept awake by noise emanating from the premises in question.

The noise, when alcohol is being served until 3am, usually includes fighting, shouting, swearing and general anti-social behaviour that results in reviews critical of both our B&B and Paignton in general. In addition people leaving the premises under the previous licence made a habit of finding a convenient spot in the service lane between Kernou Road and Torbay Road to urinate. Particularly weekends would see people hiding behind dustbins (commercial and domestic) urinating with no shame, causing foul smells and public nuisance.

When challenged, the culprits are foul-mouthed and unrepentant.

The wall that surrounds the bar/pub/restaurant on Kernou Road provides a convenient seating area for people to sit and argue after 3pm sometimes until 4-5am. Violence is often viewed and heard by my guests from rooms at the front of my building – although again not recently and we'd really like it to stay this way, please.

Suggested Conditions:

I do not see why I should have to listen to any noise emanating from the premises after 9pm. I'd like to be able to listen to my own music/TV/thoughts and so would my guests. Please not until 10pm. 9pm would be better.

Why 3am every morning? Give us a break please. Midnight 5 nights a week and 2pm Friday and Saturday would be better.

Given the history the licence holder should be obliged to hold regular meetings with local residents and businesses to discuss noise and behaviour concerns, facilitated through the licensing body.

TORBAY COUNCIL

21 SEP 2017

COMMUNITY SAFETY

Ref Licence Application
MRH Paignton Ltd
Gios Bar
18 Esplanade Road
Paignton
TQ4 6BD

Attention of
Executive Head of community safety.

Dear Sir/Madam

I wish to strongly object, to the granting of a licence, covering 10am to 3am. Paignton is a family resort, and as such needs to offer facilities for all. Allowing a licensed venue, in the heart of the town to play music till 3am, would cause a disturbance to many holiday makers, and residents alike.

While I accept the need to encourage entertainment facilities, I consider 3am to be far in excess, of holiday makers needs. Playing music till 3am would have detrimental effect on the many residents, and holiday makers staying nearby. Whilst it may be possible to control, the noise from customers, within the building, leaving the premises would be another matter.

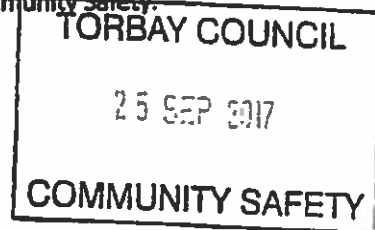
The Spinning Wheel music venue, next door to Gios bar, has live music till midnight, and is a very successful business. Even closing at this time, on occasions, we have disturbance from customers leaving. This is despite the Spinning Wheel, being very well run.

If Gios Bar is permitted to trade later than their neighbour, we will have customers moving from one venue to another, causing even more disturbance.

240574

Executive Head of Community Safety

e-mail _____



Sir,

I have had information that "MRH Paignton Ltd" at Gios Bar, 18, Esplanade Road, Paignton, TQ4 6BD, is going to apply for a late night licence on this property.

Requesting to be able to provide live or recorded entertainment, starting at 10.00am and finishing at 3.00am.

This will be the second time I have objected to this.

Many years ago I went to the Brewster court (Magistrates court Torquay) with the chairman of the then Paignton Hoteliers association, and the JP declared that the time for closing was to be midnight on all counts.

We have since enjoyed the night time sleep.

I made this complaint mainly due to the anti-social behaviour both in Kernou Road and the service lane between Kernou Road and Torbay Road. Therefore making a public nuisance of themselves in the early hours of the morning. eg Dustbins etc. turned over, shouting swearing and fighting, plus the problem of needles [drugs].

Please note that in May 2015 following an argument, police and the door men were involved, a person died and there are flowers of remembrance still situated on a post at the entrance to Kernou Road. Very sad.

Now as a permanent resident and owner of

I think I am entitled to continue to

enjoy a good night's sleep at my age.

25 September 2017

Dear Sir or Madam,

I write with reference to the current Licence application by MRH Paignton Limited for a licence to be granted to Gios Bar at 18 Esplanade Road, Paignton, TQ4 6BD.

I have been the owner of the Berry Hotel since 17 August 2007, and over the years and over all the different operators of clubs or bars at the said premise, we have always been subject to an erosion of our quality of life due to noise, antisocial behaviour and general public nuisance.

The fact that the old licensee was licenced until 03.00am caused loss of sleep or being woken up by patrols of the establishment leaving, running up and down the road, shouting, screaming or even singing any time between 03.00am and about 04.30am. We have also been impacted by excessive noise from the building itself in the form of music blaring out, including a time when windows had been removed and live music was still played at high volume until around 01.00am I believe. This happened on at least 2 consecutive weekends. At another time I can remember lying in my bed at around 03.00 one Saturday or Sunday morning and hearing a death threat shouted by one individual to another. Am I supposed to lie there and ignore it or am expected to call a Police Force who are massively understaffed and, from experience, are unlikely to be able to attend?

Add to this the fact that we are also bombarded with live music outdoors from the establishment on a Sunday afternoon, which has been known to run from 02.00pm anywhere until around 06.30pm. Even with the windows closed, I can still hear the music. And this is after my sleep has been interrupted for the prior two nights.

We are in an area where there are a large number of guest houses and bed and breakfasts. We are in the business ourselves and we are trying to sell a good night's sleep to our guests, something that is directly impacted by those problems outlined above. A fair number of our guests over the years have been affected by these things and have mentioned it to me. I know of some

guests from nearby properties who checked in on a Friday night for a week and checked out again Saturday morning because of this antisocial behaviour.

Compare all of this with how it has been this year, with no club licenced there have been no complaints, and on a personal level, I've managed to have uninterrupted sleep on a Friday and Saturday night without all the noise. public nuisance and antisocial behaviour.

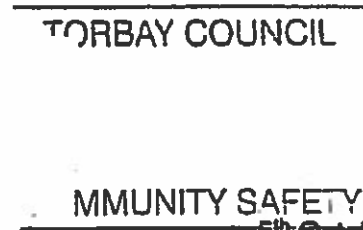
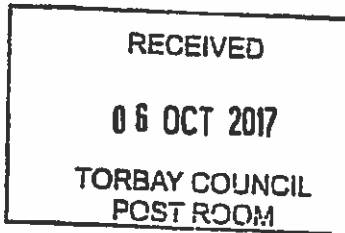
I have also taken into consideration that The Spinning Wheel has a licence until 01.00am. There is sometimes some disturbance at closing time, but very rarely. It seems to me that The Spinning Wheel is a well run establishment with owners who care about the impact of their business on the local neighbourhood.

One more point I would make is that some years ago local residents, the Police Licencing Officer and the Council Licencing Officer got together in the dining room of the Berry Hotel to discuss the problems that we have had to endure, only to be told that the Police have problems attending at the 03.00am closing time due to limited manpower and the fact that it is also the time of their shift changeover.

To sum up, I am not in favour of the granting of a licence as it has been requested for the reasons stated above. I would be more accepting of a licence until 01.00, but would point out that history suggests that the owners and operators should be forced to consider the local residents with regard to their guest leaving their premises, and of the excessive volume of the live music that affects us all, particularly on Sunday afternoons.

Finally, I would like to mention that there are other local residents, some senior citizens, who are affected by all of the matters covered above who are not prepared to identify themselves to the applicant of the license and so will not make any representation. I would like to think that the licencing authority could take their best interests into account as well.

Yours faithfully,



5th October 2017

Dear Sir or Madam,

I write with respect to the licence application by Gios Bar on Esplanade Road, Paignton.

I have lived at the above address since August 2007, and am a Senior Citizen aged 86 years.

Over the years there have been several operators of the club, the management of which has always seemed to me to completely disregard the fact that this is a residential area and as residents we have the right to the same level of quality of life as any other resident of Paignton.

We have been subject to disturbances such as:

Screaming and shouting including obscenities, any time of the early morning, particularly from 2.30am onwards sometimes continuing until as late as 4.30am.

Live outdoor music at weekends, particularly on Sundays without any consideration being given to the fact that this is a residential area and those that live here surely deserve to be shown the same respect and consideration as any other Paignton resident. This can start at 2.00pm and continue until 6.00pm or even later in some cases. Compare this with the Spinning Wheel, who generally keep their live music to between 2.00 and 4.00pm and who physically confirm that the volume is kept to a considerate level.

Music and noise escaping from the club through a fire escape that is being opened when it should be closed.

Additionally, we find that drinking vessels, cans, bottles and general waste is thrown into our garden regularly overnight at the weekend and we have had one instance where the garden furniture from our patio was removed and thrown down the garden, which is of course not a public area. Furthermore we find that bottles and glasses are regularly broken in the streets and at the entrance to Berry Square creating a public danger.

In summary, I disagree with the licence being granted until 3.00am in a residential area, I would have thought that it should be no later than that of the Spinning Wheel which ends at 1.00am. This would allow for all of us to expect a decent night's sleep without the public nuisance of the regular pattern of noise and antisocial behaviour causing me to be awoken practically every weekend from May to October by patrons of the club leaving at closing time. Over the last 6 months, in the absence of the club being operational, I have slept far more soundly than I have at any time during the preceding 9 years. This can only be due, surely, to the fact that there has been far less public nuisance, noise and antisocial behaviour during the period of the closure of the club.

Yours faithfully,

—
,

24th September 2017

COUNCIL

COMMUNITY SERVICES

Dear Sirs

Application No 048988 Gios Bar - 18 Esplanade Road, Paignton TQ4 6D

I would like to register concern regarding the above application. Gios Bar is in residential and guest accommodation area which means there are bedrooms in which people are trying to sleep.

If this licence is granted until 3.00 a.m. that would extend the public nuisance of mostly intoxicated persons leaving the premises to walk inland, underneath many of these bedroom windows. Having experienced for over 20 years the noise level these folks are capable of creating, I'm very aware of how disturbing and distressing these antisocial behaviours can be, with frequent fights breaking out. Paying guests will be deterred from returning to stay in the area if it continues until 3.00 a.m. so it would be unfair to other businesses in the area if this extension were to be granted, indeed another nail in their coffins.

I notice that, although there is a clause saying that live music would terminate on the Terrace by 10.00 p.m., there is no such restriction mentioned on recorded music - perhaps this is a careless oversight, but a horrendous proposition for sure.

In conclusion, I would implore the licensing committee to reject the application to extend the licence to 3.00 a.m.

Yours sincerely

240574

01803 403949

3rd October 2017

Executive Head of Community Safety
Torquay Town Hall
TQ1 3DR

Dear Sir

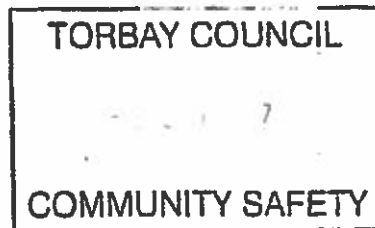
Gio's Bar Paignton (Formerly Murphy's Roadhouse)

I am writing with regard to an application for a license for this establishment, crucially asking for Gino's to be able to provide live or recorded music any time between 10.00am and 03.00am

I live from Gio's and can remember the problems we had when they previously had an extended license – noise, antisocial behaviour and public nuisance associated with people being able to buy alcohol until three in the morning. The last year, by comparison, has been reasonably quiet and trouble-free and I would dread going back to the previous scenario

My son is severely disabled and is a full time wheelchair user. Social Services have spent a great deal of money adapting our house to his needs, so if you do decide to grant this license, moving away from the area would not be an option for us

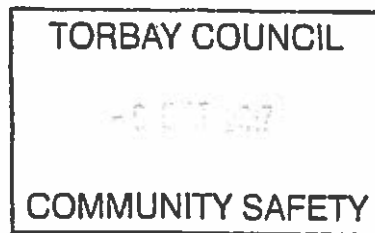
I hope you will consider the detrimental effect granting this licence would have both on local residents, and on the many guest houses and hotels locally whose businesses would surely be damaged by the inevitable anti-social behaviour



To whom it may concern

I am deeply concerned with regard to the 3am licence requested for the Gios Bar. This area is home to many families as well as quiet and respectable bed and breakfasts and hotels, which attract families from around the world. Not only do I feel the residents and tourists will suffer, but also the wonderful beaches and marine wildlife will be subjected to even more pollution from litter and noise. Antisocial behaviour is likely to increase if this proposal is agreed, which will put higher demands on the already overstretched local police/fire and ambulance services as well as the A and E department.

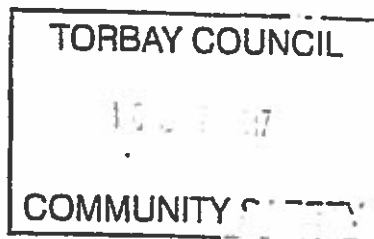
I request you consider these aspects when making your decision.



To whom it may concern

I am writing to you with concerns about the proposed request for a licence in regard of the Gios Bar. I feel that, with many residential, and holidaying families in this area, the proposed license would impact our community in a negative manner. It will encourage antisocial behaviour, increase noise pollution and litter, which are already problems in this area.

Please consider the impact on not only the families, but the businesses and hotels locally.



20th September 2017

Dear Sir or Madam,

We write in regard to the proposed application made by MRH Paignton at Gios Bar, 18 Esplanade Road, Paignton for the provision of live or recorded entertainment and refreshments from 7.00am to 3.00 am both indoors and outdoors.

As a resident of Berry Square, with a service road directly behind our properties between us and the Spinning Wheel, we already have to deal with anti-social behaviour from patrons of the Spinning Wheel and other bars nearby who, on a regular basis, and particularly at weekends, engage in anti-social behaviour such as screaming, fighting and urinating on walls while highly intoxicated between the hours of 11pm and 2am. Adding to this by permitting further outlets for alcohol consumption until 3am , BOTH INDOOR AND OUTDOOR, would lead to a significant rise in the disturbance we already encounter. Our sleep would be disturbed even further, noise levels would rise significantly and the businesses which deal in hosting tourists and students would suffer greatly from bad publicity about noise and anti-social behaviour near their premises.

We are near Paignton Green too, where events are controlled to end by midnight. We note that these events are for the general public while the events proposed both inside and outside the establishment in question would be mainly to boost the profits of its owners ...do we really wish to turn the area into an almost 24 hr drinking zone ?

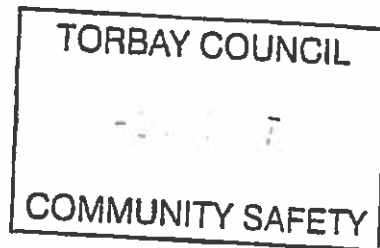
The residents in this area are mainly hoteliers, bed and breakfast owners and people who are mature or even elderly, we do not wish to have unsightly scenes and high decibel levels of noise compounded by further permission on the part of the council for teenagers to run rife until 3am.

This area is also subject to a drugs problem as we are sure the local police will confirm. We are certain that this would only be made worse by opening hours until 3am as we have already seen in the clubbing areas of Torquay.

Paignton has always been a traditional seaside town where families and older people feel safe to come on holiday. We would not feel safe if we thought that even more anti-social behaviour would be brought about by the licensing of this venue to provide drink until 3am. As the only bar open at that time of night in this area it would become a magnet for those disposed to ruin the peace and quiet of everyone else .

We trust that you will take into account our objections and at least limit the opening hours, particularly with regard to outdoor events and drinking.

Yours faithfully



6 October 2017

Dear Sir,

I am writing to air my views on the license application made by MRH for Gios Bar, 18 Esplanade Road.

Having lived here for 10 years, my family, including my elderly mother, have suffered tremendously, particularly on Friday and Saturday night, from the disturbance as people leave the night club. The business has changed hands many times, but new owners never seem to make any changes for the better. The antisocial behaviour, nuisance, noise and even vandalism, have affected the quality of our lives.

Our sleep has been disturbed, nearly every Friday and Saturday night that the club was open, during the last 10 years. On some nights, more than once.

In the past few months with no business operating, our sleep has hardly been disturbed at all.

Here is a list of just some of the things I have witnessed over the years, in the small hours of the night:

The nightclub operating with all fire exits open, so the music is not contained.

People playing musical instruments in the street.

Supermarket trolley racing in the street.

Extremely loud domestic disputes, usually peppered with foul language, and sometimes screaming.

Urinating against the side of our building, garden wall and in our garden.

The pot plants in our garden have been destroyed, on more than one occasion.

Our garden furniture has been thrown around our garden, and across the street.

Bottles, cans, broken glass and litter thrown on our lawn.

Fights in the street.

Malicious ringing of our front door bell. (We have to answer, as it could be one of our guests)

I have been laying in bed and heard drugs being sold just outside my bedroom window.

Traffic cones have been thrown, with no regard for vehicles, fortunately mine has never been damaged.

Cars are revved up, horns sounded, and doors slammed.

A bottle was thrown against my brother's bedroom window. Luckily, the window did not break.

I could go on, but the point is, we have our sleep disturbed, and then have to tidy up in the morning!

On Sunday afternoons, just to add insult to injury, we have to endure very loud live music, coming from the venue for as much as four hours.

Therefore, I am against the proposed license,